

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

GARY JONES,

Plaintiffs,

vs.

CITY OF WAYNESBORO, ALBERTA J.

ANDERSON, RICHARD H. BYNE,

JAMES JONES, VICKEY BATES, BILL

TINLEY, WILLIE WILLIAMS,

VALERIE KIRKLAND, and WILLIE J.

BURLEY,

Defendants.

Case No.: 1:22-cv-00030-JRH-BKE

JOINT MOTION TO AMEND SCHEDULING ORDER

COME NOW Plaintiff Gary Jones and all Defendants, by and through their undersigned attorneys of record, and hereby jointly move the Court to amend its Scheduling Order (ECF Nos. 11 and 16), showing the Court as follows:

1. This action was removed to this Court on March 11, 2022 (ECF No. 1), and the Defendants filed timely answers March 18, 2022 (ECF Nos. 5, 6).
2. The parties had their Rule 26(f) planning conference on April 5, 2022, and filed their joint report on April 11, 2022 (ECF No. 10).
3. The Court entered a Scheduling Order on April 13, 2022 (ECF No. 11). In pertinent part, that Scheduling Order gave the Plaintiff until July 15, 2022 to furnish expert reports, and gave the Defendants until August 15, 2022 to furnish expert reports.
4. A conference was held on August 19, 2022 (ECF No. 14), and the Court granted the parties consent motion to extend the discovery period, resetting, *inter alia*, the deadlines for furnishing expert reports. The current deadline for the Plaintiff to furnish expert reports is September 15, 2022 (today), and the current deadline for the Defendants to furnish expert reports

is November 1, 2022.

5. Plaintiff has retained an expert, who has indicated that he will be unable to furnish his expert report by today's deadline.

6. Plaintiff's counsel and Defendants' counsel have consulted, and are in agreement that a two-week extension for the Plaintiff's expert to finalize and file his report is warranted.

7. The parties jointly propose that the existing scheduling order (ECF No. 16) be amended, as follows:

LAST DAY TO FURNISH EXPERT WITNESS REPORT BY PLAINTIFF	September 29, 2022
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LAST DAY TO FURNISH EXPERT WITNESS REPORT BY A DEFENDANT	November 15, 2022
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8. The parties have been diligently pursuing discovery, and this request will not alter the time for the close of discovery in any way.

9. The parties do not request that any other deadlines be extended at this time.

10. A proposed amended scheduling order is being submitted in accordance with Local Rules of the United States District Court of the Southern District of Georgia.

WHEREFORE, the parties pray that the Court grant their request to amend the Scheduling order to allow for the new deadlines outlined herein.

Dated: September 15, 2022

Respectfully submitted,

HUGGINS PEIL, LLC

/s/ Jeffrey F. Peil
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Attorney for Plaintiff

Signed: **DOUGLAS H. DUERR**

By: s/ Douglas H. Duerr
Attorney for Defendant City of Waynesboro

Signed: **RANDOLPH FRAILS**

By: s/ Randolph Frails
Attorney for Defendant City of Waynesboro

Signed: **DELIA M. DEBLASS**

By: s/ Delia M. Deblass
Attorney for Defendant City of Waynesboro

Signed: **PATRICIA T. PAUL**

By: s/ Patricia T. Paul
*Attorney for Defendants Anderson, Byne, Jones,
Bates, Tinley, Williams, Kirkland, and Burley*

Signed: **PATRICK T. O'CONNOR**

By: s/ Patrick T. O'Connor
*Attorney for Defendants Anderson, Byne, Jones,
Bates, Tinley, Williams, Kirkland, and Burley*

SIGNATURE CERTIFICATION

I hereby certify that **Douglas H. Duerr, Randolph Frails, Delia M. Deblasse, Patricia T. Paul,** and **Patrick T. O'Connor**, counsels for Defendants, concur in the content of this filing and have authorized me to sign their names to this filing.

By: s/ Jeffrey F. Peil

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

Dated: September 15, 2022

HUGGINS PEIL, LLC

/s/ Jeffrey F. Peil

Jeffrey F. Peil

Attorney for Plaintiff